

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

MICHAEL GUTIERREZ and STEPHANIE CRUZ,

Plaintiffs,

v.

EAST HILLS CHRYSLER-PLYMOUTH, INC.;
CCAP AUTO LEASE, LTD.; SANTANDER
CONSUMER USA INC. d/b/a CHRYSLER
CAPITAL; REAL LEASE AUTO LEASING &
SALES INC.; PLATINUM AUTO LEASING &
SALES INC f/k/a KJM AUTO SALES INC.; and
DOMINICK CRUZ,

Defendants.

Case No. 2:17-cv-6953(SJF)(AKT)

**MOTION FOR DEFAULT JUDGMENT AS TO LIABILITY PURSUANT
TO FED. R. CIV. P. 55(b) AND APPLICATION FOR IN-PERSON INQUEST**

Upon the Clerk's Certificate of Default dated June 17, 2019 (*ECF. Doc. 77*); the previously submitted Declaration of Evan S. Rothfarb in Support of Plaintiffs' Application for Certificate of Default dated June 17, 2019, and all exhibits thereto (*ECF Doc. 76*), the contemporaneously submitted Declaration of Evan S. Rothfarb in Support of Plaintiffs' Motion for Default Judgment dated July 26, 2019, and all exhibits thereto, as well as the accompanying Memorandum of Law and all other supporting papers, including the exhibits attached to the instant application, Plaintiffs Michael Gutierrez and Stephanie Cruz, by and through their counsel, Schlanger Law Group, LLP, hereby move for entry of a default judgment against Defendant Real Lease Auto Leasing & Sales Inc. pursuant to Fed. R. Civ. P. 55(b)(2) and Local Civil Rule 55.2(b); and further request that an in-person inquest be held to determine damages, with Plaintiffs' attorneys' fees and costs to be determined upon separate application submitted within 14 days following the close of said inquest.

Dated: July 26, 2019

/s/ Evan S. Rothfarb

Evan S. Rothfarb
SCHLANGER LAW GROUP, LLP
9 East 40th Street, Suite 1300
New York, NY 10016
T: 212.500.6114
F: 646.612.7996
E: erothfarb@consumerprotection.net
Attorneys for Plaintiffs